

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF ARKANSAS  
LITTLE ROCK DIVISION

FILED  
U.S. BANKRUPTCY COURT  
EAST & WEST DISTS OF AR

JAN 30 2018

JEAN ROLFS, CLERK by *[Signature]*

In Re: THERESA MARSHALL

VS.

CASE NO: 4:16-bk-15651 T

WELLS FARGO HOME MORTGAGE, A DIVISION OF  
WELLS FARGO BANK N.A.

DEUTSCHE BANK NATIONAL TRUST COMPANY  
AS TRUSTEE FOR VENDEE MORTGAGE TRUST- 1993-1, MOVANT

VS.

EDUCATIONAL CREDIT MANAGEMENT CORPORATION

SAMUEL S. HIGH, ATTORNEY  
WILSON & ASSOCIATES, PLLC

KIMBERLY WOOD, TUCKER, ATTORNEY  
WRIGHT, LINDSEY & JENNINGS

MOTION TO EXTEND THE  
AUTOMATIC STAY

COMES NOW, Theresa Marshall, (Marshall) for her Motion to Extend the Automatic Stay and states:

- 1) Motion for Reconsideration of Order dismissing above mentioned case for Violation of Strict Compliance Order of December 6, 2017 is set for Hearing on February 28, 2018.
- 2) Debtor filed motion for reconsideration on December 15, 2017 (within 10-14 days) after the dismissal and before Order was finalized in an effort to reinstate above mentioned case.
- 3) Debtors bankruptcy case is at a “critical juncture” because confirmation hearings were scheduled to occur. ( in less than two months).
- 4) ***Debtor made “strict compliance” required payments for which case was dismissed.***

5) On January 12, 2018 – Attorney High of Wilson & Associates started procedures (*Circuit*) to begin publication in newspaper in an effort to foreclose on Debtors property on February 15, 2018 on behalf of (Deutsche Bank). (*Attached*)

- 6) Debtor is likely to succeed on the merits against creditors.
- 7) Debtor and creditors has been in years of litigation and it is time for case matters to be settled.

**WHEREFORE**, for all reasons stated above - Debtor seeks extension of the automatic stay against all creditors with claims until duration of Bankruptcy case. **11 U.S.C. § 362(a)**.

Respectfully submitted,

/s/Theresa Marshall, Debtor  
1408 Hendrix Ave.  
Little Rock, AR 72204  
501-666-3923

**CERTIFICATE OF SERVICE**

I, Theresa Marshall, hereby certify this 30th day of January 2018 that copy of the foregoing **MOTION TO EXTEND THE AUTOMATIC STAY** filing will be e-mailed to the following:

Mark T. McCarty, Trustee  
P.O. Box 5006  
North Little Rock, AR 72119

Kimberly Wood, Tucker, Attorney  
200 West Capitol Avenue, Suite 300  
Little Rock, AR 72201

U.S. Trustee  
200 West Capitol – Suite 1200  
Little Rock, AR 72201  
USTPRegion13.LR.ECF@usdoj.gov

Samuel High, Attorney  
Wilson & Associates  
400 West Capitol Avenue, Suite 1400  
Little Rock, AR 72201

ELECTRONICALLY FILED
Pulaski County Circuit Court
Larry Crane, Circuit/County Clerk
2018-Jan-24 13:34:43
60CV-12-3808
C06D05 : 1 Page

**Rhonda S. Wharton**

**From:** Rhonda S. Wharton  
**Sent:** Wednesday, January 24, 2018 1:28 PM  
**To:** Legal Ads; Gwen Finley  
**Cc:** Sherry K. Means; Camille R. Drackette; Rhonda S. Wharton  
**Subject:** 60CV-12-3808 DEUTSCHE BANK NATIONAL TRUST COMPANY AS TRUSTEE FOR VENDEE MORTGAGE TRUST 1993-1 V THERESA MARSHALL  
**Attachments:** 60CV-12-3808 COMMISSIONER'S SALE NOTICE.doc  
**Importance:** High

Attached please find a commissioner's sale notice for publication two times in the Arkansas Democrat Gazette with first publication on January 28, 2018 and second publication on February 4, 2018. Please forward proof of publication and statement of costs to Ms. Gwen Finley, Executive Assistant to Aaron L. Squyers, Legal Assistant to Samuel S. High, Wilson & Associates, PLLC, 400 W. Capitol Ave., Suite 1400, Little Rock, AR 72201, main phone 501-219-9388, Direct line 501-734-2232, fax 501-734-4592. If there are any problems with the publication or you are not able to publish as requested please let me or Ms. Finley know so we may resolve them and proceed with the sale as scheduled. Thank you for your assistance.

*Rhonda Wharton  
 Operations Manager  
 Pulaski Circuit/County Clerk  
 401 W. Markham Ave, Suite 120  
 Little Rock, AR 72201  
 Phone: 501-340-3414*

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ELECTRONICALLY FILED Pulaski County Circuit Court Larry Crane, Circuit/County Clerk 2018-Jan-24 13:34:43 60CV-12-3808 C06D05 : 2 Pages
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**COMMISSIONER'S SALE NOTICE**

NOTICE IS HEREBY GIVEN that pursuant to the authority and directions contained in the decretal order of the Circuit Court of Pulaski County, Arkansas, made and entered on September 10, 2015, in a certain cause (No. 60CV-12-3808) then pending between Deutsche Bank National Trust Company, as Trustee for Vendee Mortgage Trust 1993-1, Plaintiff, and Theresa Marshall; Tenants of, *et al.*, Defendants, the undersigned, as Commissioner of said Court, will offer for sale at public venue to the highest bidder, at the Pulaski County Courthouse in which said Court is held, located in Little Rock, Arkansas, within the hours prescribed by law for judicial sales, on February 15, 2018 at 12:00 p.m., the following-described real estate, situated in Pulaski County, Arkansas:

Lot 10, Block B, Oak Forest Gardens Annex, to the City of Little Rock, Pulaski County, Arkansas.

Also known as 1408 Hendrix Avenue, Little Rock, AR 72204

TERMS OF SALE: On a credit of three months, provided the purchaser shall execute a commercial corporate surety bond as required by law and the order and decree of said Court in said cause, with approved security, bearing interest at the maximum legal rate per annum from date of sale until paid, and a lien being retained on the premises sold to secure the payment of the purchase money. The property will be sold subject to any and all property taxes due and payable.

GIVEN under my hand this 24<sup>th</sup> day of January, 2018.

/s/Sherry Means  
Commissioner in Circuit

Prepared by:

3216



WILSON & ASSOCIATES, P.L.L.C.  
400 W. Capitol Avenue, Suite 1400  
Little Rock, Arkansas 72201  
(501) 219-9388

By: /s/Samuel S. High  
Sammy High (2001125)  
Attorneys for Plaintiff

**FOR PUBLICATION PURPOSES ONLY in the *Arkansas Democrat-Gazette*:**

FIRST PUBLICATION DATE: January 28, 2018

SECOND PUBLICATION DATE: February 4, 2018 (no less than 10 days before sale)